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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/790,534

03/01/2004

Robert K. Holzwarth

H10522/JDP

2751

1333 7590 06/04/2009
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EXAMINER

RODRIGUEZ, LENNIN R

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

06/04/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/790,534	Applicant(s) HOLZWARTH ET AL.	
	Examiner LENNIN R. RODRIGUEZ	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on 3/19/2009 have been fully considered but they are not persuasive. Applicant' argument regarding "Kremer et al. does not teach using a flag, tag or marker to indicate that a page is to receive a page number since the function of the Kremer et al. flag or marker is to identify only that a particular page contains a tab. In fact, Kremer et al. are clear that 'the final assembly has continuous page numbers added' (paragraph [0027], lines 3-6)" has been fully considered; in response the examiner would like to point out that the claim language as it is can be reasonably interpreted as that each page schedule to receive a page number has a tag, flag or marker, it is of common knowledge that to insert a page number in a series of pages a footer, header or any kind of tag would be needed, therefore if certain pages are schedule to be numbered at the end it is only apparent that they would have some kind of tag to allow this to happen.

2. Applicant' argument regarding "Duniho does not teach a job preparation station including an input device for a user to input a flag, tag or marker in association with each page to receive a page number" has been fully considered; in response the examiner would like to point out to the fact that a footer or header can reasonably be interpreted as a flag or tab in the page and the Duniho '690 application is in fact adding this for the purposes of page numbering as taught in column 8, lines 35-44.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 23-24, 26-35 and 37-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kremer et al. (US Application 2001/0043365) in view of Duniho (US 5,835,690).

(1) regarding claims 23 and 34:

Kremer '365 discloses a printing system for placing content within an electronic document to be printed (Fig. 1), the system comprising:

a job preparation station for preparing the document in a first printer ready file format (paragraph [0026], lines 3-8) wherein each page to receive a page number when printed is provided with a flag, tag or marker (paragraph [0016], lines 1-5, inherently in order to insert a page number in a series of pages a footer, header or any kind of tag would be needed, therefore if certain pages are schedule to be numbered at the end it is only apparent that they would have some kind of tag to allow this to happen), said station including a computer having a memory (paragraph [0029], lines 1-2 and 23-31); and

said computer having a routine and operative to employ the routine to calculate page numbers (paragraph [0027], lines 3-6, where numbers are being applied and paragraph [0030], lines 4-9) and to modify the document into a second printer ready file

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format (paragraph [0030], lines 38-41, where after the alterations the document is formatted again) wherein different page numbers are thereby associated with the pages to receive page numbers (paragraph [0027], lines 3-6, where numbers are being applied to the respective pages and paragraph [0030], lines 4-9).

Kremer '365 discloses all the subject matter as described above except said job preparation station including an input device for a user to input the flag, tag or marker in association with each said page to receive a page number;

However, Duniho '690 teaches said job preparation station including an input device for a user to input the flag, tag or marker in association with each said page to receive a page number (column 8, lines 35-44, where the user can add a header or footer capable of holding the page number);

Having a system of Kremer '365 reference and then given the well-established teaching of Duniho '690 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the printing system of Kremer '365 to include said job preparation station including an input device for a user to input the flag, tag or marker in association with each said page to receive a page number as taught by Duniho '690 because in this way the system becomes user-friendlier by allowing user manipulation of page number displaying.

(2) regarding claims 24 and 35:

Kremer '365 further discloses wherein the first printer ready file format is as a PDF document and the second printer ready file format is as a PDF document (paragraph [0034], lines 8-10).

(3) regarding claims 26 and 37:

Kremer '365 further discloses wherein the pages of the document in the second printer ready format retain the flag, tag or marker in association with each said page so as to identify that page numbering by the computer operating the routine was used to calculate the different page numbers (paragraph [0027], lines 3-6, where numbers are being applied and paragraph [0030], lines 4-9).

Kremer '365 discloses all the subject matter as described above except the flag, tag or marker able to receive a page number;

However, Duniho '690 teaches the flag, tag or marker able to receive a page number (column 8, lines 35-44, where the user can add a header or footer capable of holding the page number);

Having a system of Kremer '365 reference and then given the well-established teaching of Duniho '690 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the printing system of Kremer '365 to include the flag, tag or marker able to receive a page number as taught by Duniho '690 because in this way the system becomes user-friendlier by allowing user manipulation of page number displaying.

(4) regarding claims 27 and 38:

Kremer '365 further discloses wherein a flag, tag or marker is associated with one or more pages of the electronic document in the first printer ready file format to identify said one more pages as receiving a watermark (paragraph [0030], lines 30-32).

(5) regarding claims 28 and 39:

Kremer '365 further discloses wherein the job preparation station includes a display for reviewing thumbnails of all pages within the document and the user input device allows the user to select those pages that are not to receive a page number and those pages not to receive a page number are provided with a flag, tag or marker (paragraph [0044], lines 32-54, where the visual representations are being interpreted as thumbnails (according to the definition of a thumbnail)).

(6) regarding claims 29 and 40:

Kremer '365 further discloses wherein in a preview mode the thumbnails do not have page numbers displayed (paragraph [0051], where is not until the output of the document that the page numbers are being printed allowing for rearranging of the pages within the document).

(7) regarding claims 30 and 41:

Kremer '365 further discloses wherein pages within the document in a first printer ready file format may be moved around the document without introducing page-numbering conflicts (paragraph [0051], where is not until the output of the document that the page numbers are being printed allowing for rearranging of the pages within the document).

(8) regarding claims 31 and 42:

Kremer '365 further discloses wherein pages within the document in a first printer ready file format may be moved to a different document without introducing page-numbering conflicts (paragraph [0051], where is not until the output of the document

that the page numbers are being printed allowing for rearranging of the pages within the document or different documents).

(9) regarding claims 32 and 43:

Kremer '365 further discloses wherein a subset of pages of the document to be printed are to be printed on tab stock and at least some pages of the electronic document to be printed on tab stock (paragraph [0016], tab set).

Kremer '365 discloses all the subject matter as described above except a tab stock that have associated therewith a respective flag, tag or marker to identify such pages as to have a respective page number printed thereon;

However, Duniho '690 teaches a tab stock that have associated therewith a respective flag, tag or marker to identify such pages as to have a respective page number printed thereon (column 8, lines 35-44, where the user can add a header or footer capable of holding the page number);

Having a system of Kremer '365 reference and then given the well-established teaching of Duniho '690 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the printing system of Kremer '365 to include a tab stock that have associated therewith a respective flag, tag or marker to identify such pages as to have a respective page number printed thereon as taught by Duniho '690 because in this way the system becomes user-friendlier by allowing user manipulation of page number displaying.

(10) regarding claims 33 and 44:

Kremer '365 further discloses wherein the document to be printed includes pages that are to be printed as duplex pages and other pages to be printed as simplex pages (paragraph [0045], lines 8-10).

5. Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kremer et al. (US 2001/0043365) and Duniho (US 5,835,690) in view of Krist et al. (EP 0 478 351 A2).

Kremer '365 discloses all the subject matter as described above except wherein in the electronic document page numbers are removed from certain pages and the electronic document is reprocessed by recalculating page numbers.

However, Krist '351 teaches wherein in the electronic document page numbers are removed from certain pages (page 7, lines 49-51, where an user can remove the page numbers from certain pages) and the electronic document is reprocessed by recalculating page numbers (page 7, lines 49-56, where the system automatically skips putting number on specified pages and renumber the ones left).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made wherein in the electronic document page numbers are removed from certain pages and the electronic document is reprocessed by recalculating page numbers as taught by Krist '351, in the system of Kremer '365. With this the system allows the users to have more flexibility when printing a print job, since maybe not all the pages need to be numbered (page 7, line 49), thus becoming user friendlier.

6. Claims 25 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kremer et al. (US 2001/0043365) and Duniho (US 5,835,690) in view of Ghobrial et al. (US 2003/0079214).

Kremer '365 further discloses that all of the collected documents are converted to a ready for printer format, preferably a Portable Document Format (paragraph [0034], lines 8-10) and formatting and other modifications to the document can be globally applied to the entire document, such as a shifted margin or may be applied only to select pages. Such alterations to the document are known as document/page features or attributes. Further, these alterations are also known as document or page exceptions since they typically override specific instances of the original document formatting as set by the customer (paragraph [0030], lines 33-41).

Kremer '365 discloses all the subject matter as described above except wherein the pages of the document in the first printer ready file format are portable and pages of the document in the second printer ready file format are unportable.

However, Ghobrial '214 teaches wherein the pages of the document in the first printer ready file format are portable and pages of the document in the second printer ready file format are unportable (paragraph [0008], where after compilation the pages are no longer portable).

Having a system of Kremer '365 and then given the well-established teaching of Ghobrial '214, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the printing system of Kremer '365 to include that the pages of the document in the first printer ready file format are portable and

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pages of the document in the second printer ready file format are unportable as taught by Ghobrial '214 since doing so the documents can be made more system specific thus allowing for system related attributes to be applied.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LENNIN R. RODRIGUEZ whose telephone number is (571)270-1678. The examiner can normally be reached on Monday - Thursday 7:30am - 6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/

Supervisory Patent Examiner, Art Unit 2625

/Lennin R Rodriguez/

Examiner, Art Unit 2625